

Administrative Procedure 325 - Child Neglect and Abuse Intervention

Background

The Division believes the safety and welfare of its students is paramount. There may be occasions when an employee believes a student is in need of 'intervention services' as defined by the *Child, Youth and Family Enhancement Act*. Staff are expected to fulfill their legal obligation and moral responsibility to report suspected cases of child abuse and/or neglect.

Any person (including any staff member) who has reasonable and probable grounds to believe a child has been abused or neglected, or is at substantial risk, is legally required to report the matter to a Child and Family Services Authority.

The *Child, Youth and Family Enhancement Act* provides protection from legal action against a person making a report unless the reporting "is done maliciously or without reasonable and probable grounds for the belief." Similarly, the Alberta Teachers' Association Professional Code of Conduct does not prevent members from reporting the unprofessional conduct of another member. Members have no liability for wrongful complaints unless reporting is malicious and without probable grounds.

Definitions

Emotional Abuse:

may take the form of chronic exposure to alcohol or drug abuse, verbal attacks on a child's sense of self, repeated humiliation or rejection. Exposure to violence or severe conflict in the home, forced isolation, restraint or causing a child to be alone or afraid much of the time may also cause emotional harm.

Physical Abuse:

is the intentional use of force on any part of a child's body that results in injuries.

Sexual Abuse:

is the improper exposure of a child to sexual content, activity or behaviour. It includes any sexual touching, intercourse or exploitation by a parent or guardian, caregiver, extended family, friend, neighbour or stranger.

Neglect:

is any lack of care that causes serious harm to a child's development or endangers the child in any way. Physical neglect is the failure to meet the child's day-to-day physical needs, including a failure to provide adequate nutrition, clothing, shelter, health care and protection from harm. Emotional neglect is the failure to meet the child's ongoing emotional needs for affection and a sense of belonging.

Procedures

1. All matters relative to children/students in need of intervention services shall be held to the strictest degree of confidentiality.
2. Duty to Report
 - 2.1 If a staff member believes there are reasonable and probable grounds to suspect a child/student is being abused or neglected, if the child/student discloses such or if there are reasonable grounds to suspect the child/student is at risk of either abuse or neglect, the staff member is required, by law, to make a formal report to the Child and Family Services Regional Authority (CFSA) Office.
 - 2.2 The duty of a staff member to report is not discharged until the staff member reports to a CFSA worker.
 - 2.3 The duty to report overrides any right of confidentiality or privilege a person may claim.
 - 2.4 It is not up to the staff member to determine whether his or her observations or student statements are sufficient evidence for an investigation or assessment. If in doubt, the staff member shall call to ask for advice from a Child and Family Services worker.
 - 2.5 The staff member shall advise the Principal regarding any formal report that is made. This is to be shared for information only. The staff member cannot delegate the duty to report to the Principal and no Principal shall counsel a staff member not to report if the staff member believes there are reasonable grounds to believe abuse or neglect exist.
 - 2.6 Anyone failing to report while having reasonable and probable grounds to suspect abuse or neglect, is guilty of an offense and liable to a fine of not more than \$10,000 or to imprisonment for a term of not more than six months, or to both a fine and imprisonment.
3. How to Report
 - 3.1 Contact the appropriate Regional CFSA Office:
Stettler Children Services: 403-742-7515
After business hours, call the Child Abuse Hotline: 1-800-387-5437
 - 3.2 Do not call the student's parent or guardian.
 - 3.3 Do not make any promises of confidentiality to the student. Indicate you are required by law to report the disclosure.

- 3.4 Staff are expected to offer support but must refrain from seeking further information to confirm suspicion or clarify disclosure.
 - 3.5 Record any disclosure in the student's own words.
 - 3.6 Include observed facts, such as the student's behaviour, actions, comments and physical evidence, if observed.
 - 3.7 Record the date and time of the call and the name and position of the case worker who accepts the report. The record is to be stored in a confidential file and stored securely in a designated file, separate from the student record
 - 3.8 Any reports relative to a student in need of intervention services may be subject to disclosure under the terms of the *Freedom of Information and Protection of Privacy Act*.
 - 3.9 Interviews of students at school by police officers or Alberta Children's Services representatives (both referred to as "protection services") will be permitted in accordance with pertinent legislation, with the rights of the child being protected. See [Administrative Procedure 352 - Interactions with Students by Protective Services](#)
 - 3.10 Knowledge of a suspected case of child neglect or abuse is confidential and shall be restricted to the staff member initiating the report, the Principal, and if appropriate, the school counselor, and the Superintendent. See also [Administrative Procedure 321 Student Information Sharing](#).
4. Assessments/Investigations
 - 4.1 The assessment/investigation for child intervention services is the responsibility of the CFSA worker who may, where appropriate, be assisted by the police.
 - 4.2 School staff must not assume responsibility for any part of the assessment/investigation.
 - 4.3 The Principal shall facilitate access to students for CFSA workers and/or police for the purpose of determining if a child is in need of intervention services. See [Administrative Procedure 352 - Interactions with Students by Protective Services](#).
6. Suspected Abuse Involving School Personnel
 - 6.1 Division and school personnel must recognize child abuse can occur within the educational setting. The [Child, Youth and Family Enhancement Act](#) does not cover neglect or abuse by anyone other than family members. Should a staff member or volunteer be suspected as the perpetrator of abuse, the Division must take immediate action consistent with the nature of the allegation, facts, and circumstances. All such cases shall be reported to the police and the Superintendent.

6.2 In addition to the initial report to the police, Alberta's [Teaching Profession Act](#) requires a Superintendent who has reason to believe a member had been or might have been convicted of an indictable offense to report to the Executive Secretary of the Alberta Teachers' Association. Once a report is made, a professional conduct investigation may be initiated by the Association or the Division.

7. Followup

7.1 School personnel directly involved may expect followup communication from CFSA. This shall be determined by the authorities and shall be provided on a "need to know" basis.

7.2 At the end of the investigation, the Principal, school counsellor and/or staff member(s) may request to meet with the CFSA worker to discuss steps to be taken to assist the student, including any continued need for school support and educational services.

References:

Section 11, 52, 53, 56, 196, 197, 222 *Education Act*
Child, Youth and Family Enhancement Act
Freedom of Information and Protection of Privacy Act
Practice Review of Teachers Regulation 4/99

Effective: 2022-04-24

Amended: